

AMENDMENT NO. THREE (3)

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
NAVAJO COUNTY, ARIZONA

THIS AGREEMENT, entered into 2nd July 2002, Amendment Number 3 to JPA 98-200, AG Contract No.: KR98 2516TRN, filed 7 January, 1999, with the Secretary of State under No. 22909, is pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION acting by and through its TRANSPORTATION PLANNING DIVISION (the "State") and the NAVAJO COUNTY, ARIZONA, acting by and through its BOARD OF SUPERVISORS (the "County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The County is empowered by Arizona Revised Statutes Section 11-251 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the County.

THEREFORE, Agreement JPA 98-200, is AMENDED by the parties and agreed to herein as follows: Additional funds for fiscal year Fiscal Year (FY) 2002, in the amount of \$90,593.00 are programmed and approved for distribution to the County, to conduct roadway maintenance for roadways, within, adjacent to, or provide access to Indian Reservations.

All other terms and conditions of the original Agreement remains in full force and effect.

#03

NO. 22909
Filed with the Secretary of State
Date Filed: 06/28/02

Betty Bayless
Secretary of State

By: Dwight P. Graenewald

III. MISCELLANEOUS PROVISIONS

Provisions related to original Agreement remains in full force and effect.

IV. MISCELLANEOUS PROVISIONS RELATED TO THIS AMENDMENT

1. This Amendment shall become effective upon filing with the Secretary of State.
2. All notices or demands upon any party to this Amendment shall be in writing and shall be delivered in person, sent by facsimile transmission or deposited in the United States mail, postage prepaid addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 S. 17th Avenue, Mail Drop 616E
Phoenix, AZ 85007
Fax: (602) 712-7424

Navajo County
County Manager
Box 668
Holbrook, AZ 86025
Fax: (928) 524-4239

3. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of the State of Arizona to enter into this Amendment and that the Amendment is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

NAVAJO COUNTY, ARIZONA

By 
LEWIS TENNEY, Chairman
Board of Supervisors

STATE OF ARIZONA Department of Transportation

By 
MARY LYNN TISCHER, Director
Transportation Planning Division

ATTEST


By 
JUDY JONES
Clerk of the Board

AMENDMENT NO. 3

RESOLUTION

BE IT RESOLVED on this 4th day of April, 2002, that I, the undersigned VICTOR M. MENDEZ, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the STATE OF ARIZONA that the DEPARTMENT OF TRANSPORTATION, acting by and through the TRANSPORTATION PLANNING DIVISION, to enter into an agreement with the NAVAJO COUNTY for the purpose of AMENDING the amount of federal fund match, to include an additional amount of \$90,593.00, for fiscal year 2002.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Transportation Planning Division Director for approval and execution.



MARY LYNN TISCHER, Division Director
Transportation Planning Division
for VICTOR M. MENDEZ, Director



**A RESOLUTION OF THE NAVAJO COUNTY
BOARD OF SUPERVISORS, APPROVING
AMENDMENT NO. 3 TO JPA 98-2900**

WHEREAS, Navajo County has previously entered into Intergovernmental Agreement No. JPA 98-2900 with the Arizona Department of Transportation concerning T-21 Reservation Road Funds; and

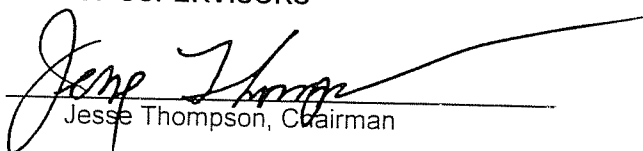
WHEREAS, ADOT has proposed Amendment No. 3 to the Intergovernmental Agreement, and the same has been reviewed and approved by County staff and the County Attorney's Office,

NOW, THEREFORE, BE IT RESOLVED that the Chairman is hereby authorized to execute Amendment No. 3 to Intergovernmental Agreement No. JPA 98-2900 on behalf of Navajo County.

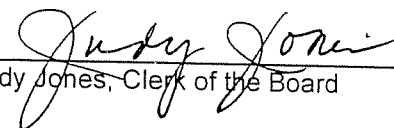
PASSED AND ADOPTED at Holbrook, Arizona on June 3, 2002.

**NAVAJO COUNTY
BOARD OF SUPERVISORS**

By


Jesse Thompson, Chairman

Attest:


Judy Jones, Clerk of the Board



JANET NAPOLITANO
ATTORNEY GENERAL

STATE OF ARIZONA
OFFICE OF THE ATTORNEY GENERAL
TRANSPORTATION SECTION
1275 WEST WASHINGTON STREET, PHOENIX, AZ. 85007-2926

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MAIN PHONE : (602) 542-1680
FACSIMILE : (602) 542-3646

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR98-2516-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED June 21, 2002.

Janet Napolitano
Attorney General

James R. Redpath
Assistant Attorney General
Transportation Section

JRR:djd:744377

Enc.